

Entered on Docket

July 27, 2010

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



1 ABBEY, WEITZENBERG, WARREN & EMERY, P.C.
2 RICHARD W. ABBEY, ESQ. (SBN: 053039)
2 RACHEL K. STEVENSON, ESQ. (SBN: 17252)
3 100 Stony Point Road, Ste. 200 **IT IS SO ORDERED.**
3 Post Office Box 1566 **Signed July 26, 2010**
4 Santa Rosa, California 95402-1566
4 Telephone No.: (707) 542-5050
5 Facsimile No.: (707) 542-2589
5
6 Attorneys for Creditor
6 Sterling Savings Bank, successor in interest by merger to
6 Sonoma National Bank
7

Arthur S. Weissbrodt
Arthur S. Weissbrodt
U.S. Bankruptcy Judge

8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 In Re: Case No. 09-51900
11 BENYAM MULUGETA and PAULA R. Chapter 11
12 MULUGETA, R.S. No. RKN/003
13 Debtors. Date: July 8, 2010
14
15 Time: 2:00 p.m.
16 Location: 280 South First St., San Jose, CA
17 Courtroom: 3020

ORDER RE MOTION FOR RELIEF FROM STAY

17 Upon the Motion for Relief from Automatic Stay filed by Sterling Savings Bank, successor
18 in interest by merger to Sonoma National Bank, the matter having come on regularly for continued
19 hearing before the undersigned United States Bankruptcy Judge on July 8, 2010, the appearances
20 having been duly noted on the record, arguments in support of and in opposition to the motion
21 having been considered, and good cause appearing therefor,

22 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that if the Debtors have not
23 completed the sale of their property located at **240 East O'Keefe, Palo Alto, CA** by the end of
24 November, 2010, counsel for Sterling shall restore this Motion on the Court's calendar in
25 December, 2010, at which time the Court will further consider the Motion.

26 The automatic stay shall remain in place pending the restored hearing date, provided that
27 Sterling's counsel continues to receive from the Debtors, on or before the close of business on the
28 14th day of each month, monthly payments in the sum of Nine Thousand Eight Hundred Seventeen

1 Dollars and Seventy Cents (\$9,817.70) in accordance with the prior Order of this Court entered on
2 August 21, 2009.

END OF ORDER

6 | Approved as to form:

8 By: _____
Benyam Mulugeta, Debtor

1 Case Name: *In re: Mulugeta*
2 Case No.: 09-51900

2 **COURT SERVICE LIST**

3 **DEBTOR:**

4 Benyam Mulugeta
5 1025 Harker Ave.
6 Palo Alto, CA 94301

7 **JOINT DEBTOR:**

8 Paula R. Mulugeta
9 1025 Harker Ave.
10 Palo Alto, CA 94301

11 **U.S. TRUSTEE:**

12 Office of the U.S. Trustee / SJ
13 U.S. Federal Bldg.
14 280 S. 1st St., #268
15 San Jose, CA 95113-3004

16 **CREDITORS:**

17 **Aglaia Panos**
18 13240 Clairepointe Way
19 Oakland, CA 94619

20 **California Mortgage**
21 62 First St., 4th Fl
22 San Francisco, CA 94105

23 **Capital One Bank (USA), N.A.**
24 C/O Tsys Debt Management (Tdm)
25 PO BOX 5155
26 NORCROSS, GA 30091

27 **Chase**
28 PO Box 94014
29 Palatine, IL 60094

30 **Chrysler Financial**
31 PO Box 9001921
32 Louisville, KY 40290

33 **Chrysler Financial Services Americas LLC**
34 Randall P. Mroczynksi
35 535 Anton Boulevard, 10th Floor
36 Costa Mesa, AZ 92626

1
2 **Citi**
3 PO Box 6415
4 The Lakes, NV 88901

5
6 **Countrywide Home Loans**
7 PO Box 5170
8 Simi Valley, CA 93062

9
10 **Cupertino Dental**
11 10383 Torre Ave. #I
12 Cupertino, CA 95014

13
14 **EMC**
15 PO Box 660753
16 Dallas, TX 75266

17
18 **Expo**
19 PO Box 6028
20 The Lakes, NV 88901

21
22 **Franchise Tax Board**
23 Bankruptcy Section MS A340
24 PO Box 2952
25 Sacramento, CA 95812-2952

26
27 **Internal Revenue Service**
28 P O Box 21126
29 Philadelphia, P A 19114

30
31 **Loan Oak Fund**
32 11611 San Vicente Blvd. #640
33 Los Angeles, CA 90049

34
35 **Robert Taylor**
36 541B Cowper
37 Palo Alto, CA 94301

38
39 **Sequoia Mortgage**
40 1114 Irwin St.
41 San Rafael, CA 94901

42
43 **Tomoko Nakama**
44 1569 Jackson St.
45 Oakland, CA 94612

46
47 **Wachovia Dealer Services, Inc**
48 PO Box 25341
49 Santa Ana, CA 92799

1 **Washington Mutual**
2 PO Box 660487
3 Dallas, TX 75266

4 **Washington Mutual**
5 PO Box 74148
6 Phoenix, AZ 85062

7 **Washington Mutual Bank**
8 7301 Baymeadows Way
9 Jacksonville, FL 32256

10 **Wells Fargo**
11 PO Box 30086
12 Los Angeles, CA 90030

13 **WELLS FARGO BANK N.A.**
14 BDD Bankruptcy Dept MAC S4101-08C
15 100 W Washington St
16 Phoenix, AZ 85003

17 **Wells Fargo Bank, N.A.**
18 c/o Wells Fargo Card Services
19 Recovery Department
20 P.O. Box 9210
21 Des Moines, IA 50306

22 **Wells Fargo Bank, National Association as Trustee**
23 EMC Payment Processing
24 PO Box 660753
25 Dallas, TX, 75266-0753

26 **SPECIAL NOTICE:**

27 **First Street Commercial Mortgage Fund, LLC**
28 c/o Eric A. Nyberg
29 Kornfield, Nyberg, Bendes & Kuhner
30 1999 Harrison St., Ste. 2675
31 Oakland, CA 94612

32 **EMC Mortgage Corporation**
33 ATTN: Bankruptcy Dept.
34 P.O. Box 293150
35 Lewisville, TX 75029-3150
36 Loan No: ***** 5551

1 **American Express Centurian Bank**
2 c/o Becket and Lee LLP
3 P.O. Box 3001
4 Malvern, PA 19355-0701

5 **American Express Travel Related Services Co., Inc.**
6 c/o Becket and Lee LLP
7 P.O. Box 3001
8 Malvern, PA 19355-0701

9 **Loan Oak Fund, LLC**
10 c/o Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP
11 Attn: Simon Aron, Esq.
12 11400 West Olympic Blvd., Ninth Floor
13 Los Angeles, CA 90064-1565

14 **Countrywide Home Loans Servicing, Inc.**
15 c/o Richard J. Bauer, Jr., Esq.
16 Miles, Bauer, Bergstrom & Winters, LLP
17 1665 Scenic Ave., Ste. 200
18 Costa Mesa, CA 92626

19 **Sequoia Mortgage Capital**
20 c/o Patric J. Kelly, Esq.
21 Adleson, Hess & Kelly, APC
22 577 Salmar Ave., Second Floor
23 Campbell, CA 95008-1453

24 **Sequoia Mortgage Capital**
25 Jason H. Freskos
26 1114 Irwin Street
27 San Rafael, CA 94901

28 **Chrysler Financial Services Americas LLC**
29 **fka DaimlerChrysler Financial Services Americas LLC**
30 c/o Randall P. Mroczynski, Esq.
31 Cooksey, Toolen, Gage, Duffy & Woog
32 535 Anton Blvd., Tenth Floor
33 Costa Mesa, CA 92626

34 **Washington Mutual Bank**
35 c/o Melodie A. Whitson
36 PITE DUNCAN, LLP
37 4375 Jutland Drive, Ste. 200
38 P.O. Box 17933
39 San Diego, CA 92177-0933